

MINUTES

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA, EASTERN DIVISION

W. HAROLD ALBRITTON, SENIOR U. S. DISTRICT JUDGE, PRESIDING, AT MONTGOMERY, AL

DATE COMMENCED: January 4, 2007 AT: 11:28 a.m.
DATE COMPLETED: January 4, 2007 AT: 11:34 a.m.

UNITED STATES OF AMERICA)
)
vs.) CR. No. 3:06cr030-WHA
)
BRIAN V. CLARK)

APPEARANCES:

GOVERNMENT

Verne Speirs

DEFENDANT

Malcolm R. Newman

COURT OFFICIALS PRESENT

Risa Entrekin, Court Reporter
Elna Behrman, Courtroom Deputy

Terrence Marshall, USPO
Lisa Harden, Law Clerk

COURTROOM PROCEEDINGS

(X) SENTENCING HEARING

Parties have reviewed the presentence report and have no objections.

Court adopts the factual statements contained in the presentence report.

Court orally GRANTS the Motion for Downward Departure (Doc. #31).

Court orally GRANTS Government's Motion for Forfeiture of Property (Doc. #29) and states an order will be signed and filed.

Sentence is stated.

No objection to the statement of sentence.

Sentence is ORDERED imposed as stated.

Defendant waives his right of appeal.

Government orally moves to dismiss Count 1 of the Indictment.

Court orally GRANTS the motion, and Count 1 of the Indictment is DISMISSED.

Defendant is recommitted to the custody of the U. S. Marshal.